

## **IDAPA 18 - DEPARTMENT OF INSURANCE**

### **18.01.44 - SCHEDULE OF FEES, LICENSES AND MISCELLANEOUS CHARGES**

**DOCKET NO. 18-0144-0601**

#### **NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is August 1, 2006.

**AUTHORITY:** In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Title 41, Chapter 2, and Sections 41-401 and 41-907, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than August 16, 2006.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of the supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

House Bill 586 amended Section 41-907, Idaho Code, to change the licensing requirement for insurance administrators, often referred to as third party administrators, from annual renewals to biennial renewals. The proposed rule is changing the fee for renewal for insurance administrator licensing to reflect this change. Under the proposed rule change the same renewal fee will be charged, but will only be collected every other year to correspond with the biennial renewal requirement. This will reduce by one-half the fee revenue collected from insurance administrators.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section(s) 67-5226(1) (b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Compliance with deadlines in amendments to governing law.

**FEE SUMMARY:** Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

The rule reduces an existing fee.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: N/A

**NEGOTIATED RULEMAKING:** Pursuant to IDAPA 04.11.01.811, negotiated rulemaking was not conducted because the change is needed to conform to changes in existing law and the rule reduces fees paid by interested parties.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the temporary and proposed rule, contact Gina McBride (208) 334-4250.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 23, 2006.

DATED this 28th day of June, 2006.

Shad Priest  
Acting Director  
Idaho Department of Insurance  
700 West State Str, 3<sup>rd</sup> Floor  
Boise, Idaho 83720-0043  
Phone: (208) 334-4250  
Fax: (208) 334-4398

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**THE FOLLOWING IS THE TEXT OF DOCKET NO. 18-0144-0601**

**002. WRITTEN INTERPRETATIONS.**

This agency may have written statements which pertain to the interpretation of the rules of this chapter, or to the documentation of compliance with the rules of this chapter. These documents will be available for public inspection and copying ~~at cost in the main office of this agency~~ in accordance with the public records act. ~~(7-1-00)~~(8-1-06)T

**(BREAK IN CONTINUITY OF SECTIONS)**

**004. INCORPORATION BY REFERENCE.**

There are no documents to be incorporated by reference. (8-1-06)T

**005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.**

**01. Office Hours.** The Department of Insurance is open from 8 a.m. to 5 p.m. except Saturday, Sunday and legal holidays. (8-1-06)T

**02. Mailing Address.** The department's mailing address is: Idaho Department of Insurance, P.O. Box 83720, Boise ID 83720-0043. (8-1-06)T

**03. Street Address.** The principal place of business is 700 West State Street, 3rd Floor, Boise, Idaho 83702-0043. (8-1-06)T

**04. Web Site Address.** The department's web address is <http://www.doi.idaho.gov>. (8-1-06)T

**006. PUBLIC RECORDS ACT COMPLIANCE.**

Any records associated with these rules are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code. (8-1-06)T

~~0047.~~ -- 010. (RESERVED).

**(BREAK IN CONTINUITY OF SECTIONS)**

**030. PRODUCER AND MISCELLANEOUS LICENSING FEES.**

**01. Original License Application.** The following fees are due and must be paid with the filing application for original license, which fees include the issuance of a license, if issued: (3-13-02)

**a. Administrators --** Three hundred dollars (\$300). (7-1-00)

- b. Producers -- Eighty dollars (\$80). (3-13-02)
- c. Designation as a managing general agent -- Eighty dollars (\$80). (3-13-02)
- d. Adjusters -- Eighty dollars (\$80). (3-13-02)
- e. Reinsurance intermediary -- Eighty dollars (\$80). (3-13-02)
- f. Surplus line brokers -- Eighty dollars (\$80). (3-13-02)
- 02. Examination Fees.** The following fees are due and must be paid in order to take examinations for the following licenses: (3-13-02)
  - a. Producers and adjusters -- application for examination and each time taken - Sixty dollars (\$60). (3-13-02)
- 03. Fingerprint Processing.** Processing fingerprints, where required - Sixty dollars (\$60). (7-1-00)
- 04. License Renewal.** The following fees are due and must be paid for each license in order to renew or continue each and every license: (3-13-02)
  - a. Adjusters, producers (biennial) -- Eighty dollars (\$80), or sixty dollars (\$60) if renewed electronically. (3-16-04)
  - b. Redesignation as managing general agent (annual) -- Eighty dollars (\$80). (3-13-02)
  - c. Administrators (~~annual~~ biennial) -- Eighty dollars (\$80). (~~3-13-02~~)(8-1-06)T
  - i. Renewal form shall be filed on or before December 31. (8-1-06)T
  - ii. Any renewal form postmarked after December 31 shall include a penalty in an amount equal to the renewal fee. (8-1-06)T
  - iii. A renewal form postmarked after January 31 must be submitted as a new application with supporting documents and the full application fee. (8-1-06)T
  - d. Surplus line brokers (biennial) -- Eighty dollars (\$80), or sixty dollars (\$60) if renewed electronically. (3-16-04)